

REMARKS

Reconsideration of this application, as presently amended, is respectfully requested. Claims 1-6 are pending in this application. Claims 1-2 and 5-6 have been allowed. Claims 3-4 remain rejected.

Claim Rejections-35 U.S.C. §103

Claims 3-4 are rejected under 35 U.S.C. §103(a) as being unpatentable over **Joanblanq** (USP 6,947,097, previously cited) in view of **Konuma** (USP 7,023,490, previously cited). Claims 3-4 are also rejected under 35 U.S.C. §103(a) as being unpatentable over **Joanblanq** in view of **Ebihara et al.** (USP 5,956,092, previously cited).

Initially, it is noted that claims 3 and 4 have been amended to recite “means for moving the display position of the side panel by only one pixel in response to the calculation means calculating that the average value of the luminances is lower than a predetermined value.” Support for this change is found, e.g., in Figs. 10 and 11 and the respective descriptions thereof. See, e.g., page 27, lines 16-23 and page 30, lines 3-10 of the application specification.

The Examiner’s current position, as best understood, will be summarized below. In the Amendment filed on May 24, 2007, with respect to claims 3 and 4, it was argued that none of the cited references disclose “means for moving the display position of the letter box *by one pixel*” The Examiner responds to this argument as follows:

Joanblanq does not specifically disclose means of moving the display position of the letterbox or side panel by one pixel. However, scaling, resizing or moving the image whether by one pixel or a few pixels in one

or another direction is well known in the art of television format detection. See Office Action, page three (3) lines of page 2 and first line of page 3; see also page 4, lines 10-13.

As is well known, a video image is comprised of two fields, odd and even, and the fields are comprised of lines, and each line is comprised of pixels. See Office Action, page 4, lines 13-15.

Further, in the *Response to Arguments*, the Examiner adds the following comments:

In other words, when certain condition (regarding luminance level in comparison to threshold level) is met, the system changes/converts the incoming video signal's aspect ratio to another one, i.e., given a reasonable broad interpretation, by one pixel or more, moving the position of the letter box. See Office Action, page 7, lines 13-16.

As to the argument that by moving the display position of the letterbox [side panel] by a small amount (one pixel), the change is not troublesome to the viewer, the applicant is not arguing anything that is found in any of the claims. See Office action, page 7, lines 17-19.

It is noted that the Examiner has not pointed out any explicit teaching of “means for moving the display position of the letter box by one pixel in response to the calculation means calculating that the average value of the luminances is lower than a predetermined value.”

As best understood, the Examiner appears to assert that moving the position of the letterbox [side panel] by one pixel during the operation of moving the letterbox [side panel] is a well-known operation. In particular, the Examiner states “However, scaling, resizing or moving the image whether *by one pixel or a few pixels* in one or another direction *is well known in the art of television format detection*. [Emphasis added]. See Office Action, last three (3) lines of page 2 and first line of page 3; see also page 4, lines 10-13. This interpretation is further

supported by the statement “As is *well known*, a video image is comprised of two fields, odd and even, and the fields are comprised of lines, and each line is comprised of pixels” [emphasis added] (see Office Action, page 4, lines 13-15).

Thus, it appears that the Examiner is interpreting the operation of moving or removing the letterbox [side panel] *as being performed on a line-by-line basis*, and further it appears that the Examiner asserts that each line corresponds to *one pixel*. For example, it appears that the Examiner believes that even if all the lines of the letterbox [side panel] are removed, they are not removed all at once in the cited references, but are removed one line at a time until all lines are removed.

First, it is respectfully submitted that none of the cited references, whether taken alone or in combination, disclose, suggest or render obvious the “means for moving the display position of the letter box [side panel] by only one pixel in response to the calculation means calculating that the average value of the luminances is lower than a predetermined value,” as recited in claims 3 and 4.

None of the references disclose or suggest that, in response to calculating that the average value of the luminances is lower than a predetermined value, the display position of the letterbox [side panel] is moved by *only* one pixel. As discussed previously, the cited references teach changing aspect ratio and removing a letterbox. However, none of these references teach that the letterbox [side panel] is moved by only one pixel. Even if, *arguendo*, the Examiner’s interpretation is adapted, none of the references disclose or suggest moving the display position of the letterbox [side panel] by *only* one line *in response to a luminance calculation*.

Second, it is respectfully submitted that the cited references are silent with respect to exactly how the letterbox [side panel] is moved or removed. In particular, it is submitted that the references are silent regarding whether the letterbox is moved or removed on a line-by-line basis or all at once (i.e., unnecessary lines are all removed at the same time). Because the references are silent regarding moving the position of the letterbox [side panel] by one line or one pixel at a time, and the Office Action does not point out where the references explicitly disclose or suggest same (i.e., the Office Action asserts that this is well known), it is submitted that to support a rejection based on the Examiner's interpretation of the references, *the Examiner is required to provide evidence (such as in the form of a reference)* to support the assertion that it is well-known to move or remove the letterbox one line at a time.

In view of the above amendments and remarks, it is submitted the each of claims 3 and 4 patentably distinguish over the cited prior art and define allowable subject matter. Reconsideration and withdrawal of the rejections under §103 are respectfully requested.

CONCLUSION

In view of the foregoing amendments and accompanying remarks, it is submitted that all pending claims are in condition for allowance. A prompt and favorable reconsideration of the rejection and an indication of allowability of all pending claims are earnestly solicited.

If the Examiner believes that there are issues remaining to be resolved in this application, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below to arrange for an interview to expedite and complete prosecution of this case.

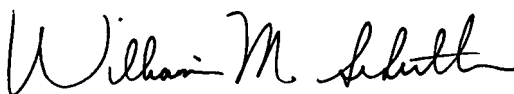
Application No. 10/830,027
Art Unit: 2622

Amendment under 37 C.F.R. §1.111
Attorney Docket No.: 042360

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read "William M. Schertler". The signature is fluid and cursive, with the first name "William" and last name "Schertler" clearly distinguishable.

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